

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Robert E. Bennett

Docket No. 5:09-M-1847-1

Petition for Action on Probation

COMES NOW Robert K. Britt, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert E. Bennett, who, upon an earlier plea of guilty to Driving While Impaired - Level 3 in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on April 6, 2010, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 72 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On October 9, 2010, Mr. Bennett was charged in Sampson County, North Carolina, with Driving While Licensed Revoked and Speeding 68/55 (10CR704731). He admits to these violations. There was no indication of alcohol use. On October 13, 2010, which was four days after these violations occurred, he was issued a limited driving privilege. As a sanction for these violations, it is recommended that he complete an additional 24 hours of community service. He has already completed the 72 hours originally ordered.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: October 18, 2010

ORDER OF COURT

Considered and ordered this 14th day of October, 2010, and ordered filed and made a part of the records in the above case.

Robert B. Jones, Jr.
Robert B. Jones, Jr.
U.S. Magistrate Judge